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Attorney for Defendant David Wax

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

LARRY EVANS, MEGAN EVANS, M.E., a
minor by and through his guardian ad litem
LARRY EVANS, TERESA GREEN, A.S., a
minor by and through his guardian ad litem
TERESA GREEN, HEATHER CARRANZA,
L.C., a minor by and through her guardian ad
litem HEATHER CARRANZA, MICHELE
SMITH, M.M., a minor by and through his
guardian ad litem MICHELE SMITH,

Plaintiffs,

v.

ANTIOCH UNIFIED SCHOOL DISTRICT,
THERESA ALLEN-CAULBOY, MICHAEL
GREEN, DAVID WAX, KEITH ROGENSKI,
KAI MONTGOMERY, and DOES 1-30,

Defendants.

No. C-13-1476-LB-ARB

**STIPULATION AND ~~PROPOSED~~
ORDER DISMISSING INDIVIDUAL
DEFENDANTS WITH PREJUDICE**

The parties to the above-captioned litigation hereby stipulate by and through their
undersigned counsel of record as follows:

1 WHEREAS, this case settled on December 3, 2013 and the settlement was placed on the
2 record in proceedings before Magistrate Judge Joseph C. Spero.

3 WHEREAS, in consideration of a waiver of costs and attorneys' fees, plaintiffs agreed to
4 authorize their attorneys to execute a Stipulation to dismiss all claims asserted against the
5 individually named defendants in this action within ten (10) days after the Court's Order granting
6 Motion to Approve the Compromise of Minors' Claims.

7 WHEREAS, the Court's Order granting Motion to Approve the Compromise of Minors'
8 Claims was entered on February 19, 2014 (Docket No. 68.).

9 WHEREAS, the parties further agreed that the dismissal will not be filed until all
10 settlement funds have been paid. The settlement funds have been fully paid and the dismissal is
11 therefore being filed.

12 IT IS STIPULATED by and between the parties to the above-captioned litigation, by and
13 through their undersigned counsel of record, that all claims asserted in this action against
14 defendants THERESA ALLEN-CAULBOY, MICHAEL GREEN, DAVID WAX, KEITH
15 ROGENSKI and KAI MONTGOMERY be dismissed with prejudice from this action, each party
16 to bear their own fees and costs.

17 IT IS SO STIPULATED.

18 DATED: March 21, 2014

HINTON ALFERT & KAHN LLP

19
20 /s/

Peter W. Alfert
Attorney for Plaintiffs
LARRY EVANS, et al.

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23 DATED: March 21, 2014

24 /s/

Todd Boley
Attorney for Plaintiffs
LARRY EVANS, et al.

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1 DATED: March 21, 2014

EDRINGTON, SCHIRMER & MURPHY LLP

2 /s/

3 Timothy P. Murphy
4 Attorney for Defendant
5 KEITH ROGENSKI

6 DATED: March 21, 2014

DAVIS & YOUNG, APLC

7 /s/

8 Mark Davis
9 Attorney for Defendant
10 THERESA ALLEN-CAULBOY

11 DATED: March 21, 2014

BERTRAND, FOX & ELLIOT

12 /s/

13 Michael Wenzel
14 Attorney for Defendant
15 DAVID WAX

16 DATED: March 21, 2014

ANWYL, SCOFFIELD & STEPP, LLP

17 /s/

18 James T. Anwyl
19 Attorney for Defendant
20 KAI MONTGOMERY

21 DATED: March 21, 2014

STUBBS & LEONE

22 /s/

23 Claudia Leed
24 Attorney for Defendant
25 MICHAEL GREEN

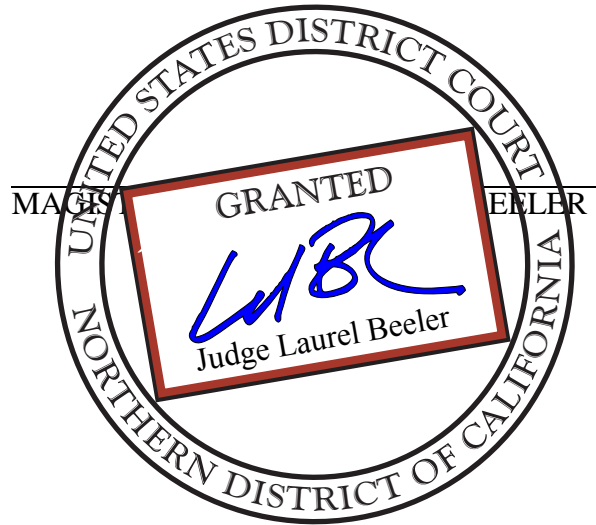
26 **ORDER**

27 Pursuant to the Stipulation of the Parties, the individual defendants THERESA ALLEN-
28 CAULBOY, MICHAEL GREEN, DAVID WAX, KEITH ROGENSKI and KAI

MONTGOMERY are hereby dismissed with prejudice from this action, each party to bear their own fees and costs.

IT IS SO ORDERED.

DATED: March 23, 2014



**CERTIFICATION BY TIMOTHY P. MURPHY PURSUANT TO LOCAL RULE NO.5-1,
SECTION (i)(3). RE E-FILING ON BEHALF OF MULTIPLE SIGNATORIES**

1. I am an attorney licensed to practice law in the State of California, and am an attorney in the law firm of Edrington, Schirmer & Murphy, counsel for Defendants ANTIOCH UNIFIED SCHOOL DISTRICT and KEITH ROGENSKI. The statements herein are made on my personal knowledge, and if called as a witness, I could and would testify thereto.

2. The above e-filed document contains multiple signatures. I declare that concurrence has been obtained from each of the other signatories to file this jointly prepared document with the Court. Pursuant to Local Rule 5-1, section (i)(3), I shall maintain records to support this concurrence for subsequent production for the Court if so ordered, or for inspection upon request by a party until one year after final resolution of the action (including appeal, if any). I declare under penalty of perjury under the laws of the United States of California that the foregoing is true and correct on March 21, 2014

/s/

Timothy P. Murphy